

B. REMARKS

1. Status of Application

The present application includes pending claims 1-6. Claims 1, 2, 4, and 5 were rejected in the Examiner's office action mailed on February 9, 2005. Claims 3 and 6 were deemed by the Examiner to contain allowable subject matter and allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims.

By this response, claims 1, 4, and 5 are amended to correct matters of form or grammar and/or to more particularly point out the invention for which protection is sought. Claims 1 and 4 have been and still are the only independent claims in the present application.

2. Discussion

a. The Objections to the Specification

The Examiner objected to three informalities in the specification relating to grammar and spelling. Applicants have amended the specification as recommended by the Examiner.

b. The § 112(2) Indefiniteness Rejection

The Examiner rejected claim 5 under 35 U.S.C. § 112, paragraph 2, as being indefinite because the phrase "at least the pair of magnets" did not make sufficiently clear which pair of magnets the claim was referring to. Applicants have amended claim 5 as recommended by the Examiner so that it is now clear as to which magnets the claim refers.

c. The § 103(a) Obviousness Rejections

The Examiner rejected claims 1-2 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,750,602 to Hirota et al. ("Hirota") in view of U.S. Patent Application Publication 2003/0173889 A1 to Tagami et al. ("Tagami").

With regard to claim 1, the Examiner stated that Hirota fails to disclose magnets as claimed in the claim, but that Tagami discloses "first magnets (651 and 652 of Fig 2), which have different polarities from each other in the horizontal direction are arranged at upper and lower positions of an opening portion of the deflection yoke." (February 9, 2005 Office Action at 4). The Examiner therefore concluded that it would have been obvious to incorporate magnets as arranged by Tagami in the device of Hirota to reduce upper pincushion distortion. (*Id.*).

Claim 1 as amended recites a projection type cathode ray tube device comprising, among other things, "first magnets which have different polarities from each other in the horizontal direction are arranged at upper and lower positions of a funnel-side opening portion of the deflection yoke as the electron beam which is deflected to the upper and lower portions of the screen receives a force to a center direction of the screen, and the first magnet arranged at the upper side of said opening portion and the first magnet arranged at the lower side of said opening portion differ in polarity at left and right sides."

First, Tagami is not directed to a projection type cathode ray tube as are Hirota and the present invention, but to a color cathode ray tube. Projection type cathode ray tube technology and color cathode ray tube technology are different such that it is difficult to combine the technology for one with the other. Accordingly, there is insufficient motivation to combine,

and the Examiner's combination of Hirota and Tagami to craft an obviousness rejection is improper.

Second, the purpose of the magnets in Tagami, as the Examiner correctly noted, is to correct upper and lower pincushion distortion. This is done by a process in which an electron beam that is deflected to the upper portion of a screen receives a force to the upper direction of the screen, and an electron beam that is deflected to the lower portion of the screen receives a force to the lower direction of the screen. However, and by contrast, the invention of claim 1 does not correct pincushion distortion. Rather, the first magnets in claim 1 provide, to the electron beam that is deflected to the upper and lower portions of the screen, a force to a center direction of the screen.

Accordingly, claim 1 is not obvious over Hirota and Tagami. Claims 2-3, which depend on claim 1, are also not obvious by virtue of their dependence on claim 1. The Examiner stated that claim 3 contains allowable subject matter and is therefore allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims. (February 9, 2005 Office Action at 6). However, Applicants respectfully state that claim 3 is also patentable in its present form for the reasons stated above.

The Examiner also rejected claims 4-5 under 35 U.S.C. § 103(a) as being obvious over Hirota and Tagami as applied to claims 1-2 and further in view of U.S. Patent No. 5,378,961 to Shiro et al. ("Shiro"). The Examiner explained that "Hirota and Tagami disclose[] all the limitations of claims 4-5 (see rejection of claims 1-2), except for a second set of magnets arranged in a circumference of the opening portion of the deflection yoke," and that Shiro disclosed claims 4-5's second set of magnets. (February 9, 2005 Office Action at 5). However, claim 4 as amended recites all of claim 1's limitations, and for the reasons stated above, Hirota

and Tagami do not teach a projection type cathode ray tube device comprising, among other things, first magnets as recited in claim 1.

Accordingly, claim 4 is not obvious over Hirota, Tagami, and Shiro. Claims 5-6, which depend on claim 4, are therefore also not obvious by virtue of their dependence on claim 4. The Examiner stated that claim 6 contains allowable subject matter and is therefore allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims. (February 9, 2005 Office Action at 6). However, Applicants respectfully state that claim 6 is also patentable in its present form for the reasons stated above.

d. Disclosure of Additional References

Applicants hereby bring to the Examiner's attention Japanese Patent Publication No. 07-37526 (Murata) and No. 2001-185053 (Takenaka et al.). These were cited by the Korean Patent Office in connection with an application related to the present application. A Supplemental Information Disclosure Statement is being filed concurrently in connection herewith.

3. Conclusion

It is respectfully submitted that the present application as amended is in condition for allowance and prompt notification thereof is requested. If the prosecution of this application can be advanced by a telephone conference, the Examiner is requested to call the undersigned at (212) 530-5363.

Respectfully submitted,

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